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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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BROOKS KUSHMAN P.C. 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075			WINDER, PATRICE L	
			ART UNIT	PAPER NUMBER
			2145	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/624,115

Applicant(s)

BORMAN ET AL.

Examiner

Patrice Winder

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1-20-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 10-12, 18, 21, 23-24, 29, 33-35, 40-41 are rejected under 35 U.S.C. 102(e) as being anticipate by Mullen-Schultz, USPN 6,393,462 B1 (hereafter referred to as Mullen-Schultz).

3. Regarding claim 1, Mullen-Schultz taught a method of delivering links for subsequent display by an application program running on a user's computer, each link being associated with a location of information on a computer or a computer network (abstract), the method comprising:

assembling a plurality of links for transfer to an application-specific location (column 8, lines1-5);

storing the plurality of links in the application-specific location to automatically integrate the plurality of links into at least one menu of the application program (column 9, lines 45-49).

4. Regarding dependent claim 2, Mullen-Schultz taught the application program is a browser (column 4, lines 52-56).

5. Regarding dependent claim 3, Mullen-Schultz taught the menu is accessed using a toolbar (column 10, lines 8-11).
6. Regarding dependent claim 4, Mullen-Schultz taught the toolbar is a browser toolbar (column 10, lines 8-11).
7. Regarding dependent claim 10, Mullen-Schultz taught the step of assembling a plurality of links comprises: retrieving links from at least one link server accessible via a computer network (delivered when requested, column 8, lines 17-21).
8. Regarding dependent claim 11, Mullen-Schultz taught the step of assembling a plurality of links comprises: assembling at least one picture or graphic associated with at least one link (column 5, line 64 – column 6, line 3).
9. Regarding dependent claim 12, Mullen-Schultz taught the step of storing comprises: appending the plurality of links to an existing file on the user's computer (bookmark information transferred to bookmark menu, column 7, lines 16-20).
10. Regarding claim 18, Mullen-Schultz taught a method for delivering links associated with locations of information on a computer network from a server on the computer network to a browser running on a user's computer system (abstract), the method comprising:
 - receiving a request from the browser to transfer information from the server for display by the browser (column 8, line 57 – column 9, line 44);
 - transferring a plurality of links from the server to a browser-specific location on the user's computer system to integrate the plurality of links into at least one menu or toolbar of the browser (column 8, line 57 – column 9, line 44).

11. Regarding dependent claim 21, Mullen-Schultz taught the user's computer system comprises a local area network (column 4, lines 42-44)
12. Regarding dependent claim 23, Mullen-Schultz taught further comprising requesting permission from the user's computer system and performing the step of transferring only if permission is granted (column 9, lines 5-27).
13. Regarding dependent claim 24, Mullen-Schultz requesting permission comprises: prompting a user for permission to transfer the plurality of links (column 9, lines 5-27).
14. Regarding dependent claim 29, Mullen-Schultz taught accessing a list of links previously stored on the user's computer system (accessing list of bookmarks associated with web browser, column 7, lines 39-45); and modifying the list prior to transferring the links to the user's computer system (identifying personalized bookmark information, column 8, lines 51-54, column 9, lines 29-33).
15. Regarding claim 33, Mullen-Schultz taught a method for providing links to browser program running on a computer connected to a network (abstract), the method comprising:
 - receiving a request from the browser program to transfer a file representing a home page for display in the browser program (column 8, lines 57-67);
 - determining a storage location on the computer for links used by the browser program (column 9, lines 45-49);
 - requesting permission to modify links used by the browser program (column 9, lines 13-27);

generating a list of links to be transferred to the computer (column 8, lines 1-5);
and

transferring the list of links to the storage location on the computer for
subsequent use by the browser in retrieving information from the network (column 9,
lines 45-49).

16. Regarding dependent claim 34, Mullen-Schultz taught the step of generating a
list of links (column 2, lines 14-19) is performed prior to the step of receiving a request
from the browser to establish a plurality of predetermined lists of links for subsequent
transfers (column 3, lines 35-49).

17. Regarding dependent claim 35, Mullen-Schultz taught the step of generating a
list of links comprises obtaining links from a link server connected to the network
(column 17-21).

18. Claim 40 is rejected on the same rationale as previously rejected claim 1.

19. Claim 41 is rejected on the same rationale as previously rejected claim 33.

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

22. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz in view of Cordell, USPN 6,031,989 (hereafter referred to as Cordell).

23. Regarding dependent claim 5, Mullen-Schultz taught the toolbar is a browser toolbar (column 10, lines 8-11). Mullen-Schultz does not specifically teach an operating system toolbar. However, Cordell taught the browser integrated in the operating system (column 5, lines 41-43). Thus, the browser toolbar is integrated in the operating system toolbar. It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Cordell's operating system toolbar in the Mullen-

Schultz system for downloading bookmark information would have expanded usefulness. The motivation would have been to take advantage of the integration of operating system interfaces with browsers.

24. Claims 6-7, 22 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz in view of Reese, USPN 6,374,237 B1 (hereafter referred to as Reese).

25. Regarding dependent claim 6, Mullen-Schultz does not specifically teach the step of assembling the plurality of links comprises: determining a profile of the user based on previously collected user information. However, Reese taught teach the step of assembling the plurality of links comprises: determining a profile of the user based on previously collected user information (column 8, lines 26-33).

26. Regarding dependent claim 7, Reese taught further comprising: assembling the plurality of links based on the profile (column 7, lines 47-52).

27. Regarding dependent claim 22, Mullen-Schultz does not specifically teach prompting the user to indicate type of links. However, Reese taught prompting a user to indicate which links or type of links are desired (column 4, lines 6-9, 35-41); and generating a list of links based on the indicated links or type of links prior to transferring the links to the user's computer system (column 4, lines 13-15).

28. Regarding dependent claim 26, Mullen-Schultz does not specifically teach dynamically constructing a list of links after receiving the request from the browser. However, Reese taught dynamically constructing a list of links after receiving the request from the browser (column 7, lines 47-52).

29. Regarding dependent claim 27, Reese taught the step of dynamically constructing a list of links comprises dynamically constructing a list of links based on a user profile (column 7, lines 47-52).

30. Regarding dependent claim 28, Reese taught the step of dynamically constructing a list of links comprises obtaining links from another server on the computer network (column 7, lines 25-39).

31. Regarding the claims above, it would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Reese's profile in the Mullen-Schultz system for downloading bookmark information would have expanded the information available for downloading. The motivation would have to been to provide relevant information consistent with the user's interests.

32. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz and Reese as applied to claim 6 above, and further in view of Meade, II, USPN 6,405,214 B1 (hereafter referred to as Meade).

33. Regarding dependent claim 8, Mullen-Schultz does not specifically teach determining a profile comprises: determining the profile based on information stored on the user's computer. However, Meade taught determining a profile comprises: determining the profile based on information stored on the user's computer (column 4, lines 55-63, column 5, lines 20-27).

34. Regarding dependent claim 9, Mullen-Schultz does not specifically teach determining a profile comprises: determining a profile based on cookies stored on the user's computer. However, Meade determining a profile comprises: determining a profile

based on cookies stored on the user's computer (column 4, lines 55-63, column 5, lines 20-27).

35. Regarding the claims above, it would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Meade's profile in the Mullen-Schultz system for downloading bookmark information would have customized the information to the user. The motivation would have been to further tailor the information.

36. Claims 13-14 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz in view of Blumer et al., US 6,189,019 B1 (hereafter referred to as Blumer).

37. Regarding dependent claim 13, Mullen-Schultz does not specifically teach storing a directory structure. However, Blumer taught the step of storing comprises: storing a directory structure on the user's computer, the directory structure including at least one directory and a plurality of files with each file corresponding to one of the plurality of links (column 13, lines 12-21).

38. Regarding dependent claim 14, Blumer taught all of the links are related to a single domain (column 11, lines 37-40).

39. Regarding dependent claim 30, Mullen-Schultz does not specifically teach the step of transferring comprises transferring the plurality of links to a single file on the user's computer system. However, Blumer taught transferring the plurality of links to a single file on the user's computer system (outline view with all related documents, column 12, lines 64 – column 13, line 24).

40. Regarding dependent claim 31, Mullen-Schultz does not specifically teach the step of transferring comprises transferring each link to a separate file on the user's computer system. However, Blumer taught transferring each link to a separate file on the user's computer system (outline view of unrelated documents, column 12, lines 64 – column 13, line 24).

41. Regarding dependent claim 32, Mullen-Schultz does not specifically teach the step of transferring comprises transferring at least one directory with a plurality of files, each file corresponding to one of the plurality of links. However, Blumer taught transferring at least one directory with a plurality of files, each file corresponding to one of the plurality of links (column 12, lines 64 – column 13, line 24).

42. Regarding the claims above, it would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Blumer's transferring directories and files in the Mullen-Schultz system for downloading bookmark information would improved system effectiveness. The motivation would have been to better management bookmark information to achieve seamless integration with the user's browser.

43. Claim 15, 19-20, 25, 39 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz in view of Meade.

44. Regarding dependent claim 15, Mullen-Schultz does not specifically teach recording billing information related to storing the plurality of links on the user's computer. However, Meade taught recording billing information related to storing the plurality of links on the user's computer (column 2, lines 31-44).

45. Regarding dependent claim 19, Mullen-Schultz does not specifically teach storing accounting information on the server related to the number and types of links transferred to the user's computer. However, Meade taught storing accounting information on the server related to number and type of links transferred to the user's computer system (column 2, lines 31-44, column 4, lines 60-64).

46. Regarding dependent claim 20, Meade taught further comprising: transferring the accounting information to a second server on the computer network (column 4, line 64 – column 5, line 3).

47. Regarding dependent claim 25, Mullen-Schultz does not specifically teach transferring without informing the user. However, Meade taught the step of transferring is performed without informing the user (column 5, lines 43-45).

48. Regarding dependent claim 39, Mullen-Schultz does not specifically teach forwarding billing information associated with the list of links transferred to the computer to a server on the network. However, Meade taught forwarding billing information associated with the list of links transferred to the computer to a server on the network (column 2, lines 31-44, column 4, lines 60-64).

49. Regarding claim 44, Mullen-Schultz taught a method for providing links to an application program running on a user's computer connected to a computer network (abstract), the method comprising:

receiving a request from the application program to transfer a file representing a home page for display in the application program (column 8, line 57 – column 9, line 44);

transferring instructions to the user's computer for subsequent use in delivering links to the user's computer, the instructions selected based at least in part on the application program (column 8, line 57 – column 9, line 44);

determining a storage location on the user's computer for links based at least in part on the application program (column 9, lines 45-49);

generating a list of links to be transferred to the user's computer (column 8, lines 1-5);

transferring the list of links to the storage location on the user's computer for subsequent use by the application program in retrieving information from the network (column 9, lines 45-49). Mullen-Schultz does not specifically teach storing accounting information associated with type and number of links transferred to the user's computer. However, Meade taught storing accounting information associated with type and number of links transferred to the user's computer (column 2, lines 31-44, column 4, lines 60-64).

50. Regarding the claims above, it would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Meade's recording billing information in the Mullen-Schultz system for downloading bookmarks would have improved system effectiveness. The motivation would have been to potentially provide incentives to the user requesting bookmark information.

51. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz in view of Balasubramaniam et al., USPN 6,477,550 B1 (hereafter referred to as Balasubramaniam).

52. Regarding dependent claim 16, Mullen-Schultz does not specifically teach the step of storing is performed during an installation procedure of a requested application program. However, Balasubramaniam taught the functionality of a “plug-in” is performed during an installation procedure of a requested application program (column 2, lines 17-24).

53. Regarding dependent claim 17, Mullen-Schultz does not specifically teach the step of assembling is performed during an installation procedure of a requested application program. However, Balasubramaniam taught the functionality of a “plug-in” is performed during an installation procedure of a requested application program (column 2, lines 17-24).

54. Regarding the claims above, it would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Balasubramaniam’s installation procedure in the Mullen-Schultz system for downloading bookmarks would have improved system effectiveness. The motivation would have to better incorporate the bookmark manager in the browsing system.

55. Claims 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz in view of Blumer and further in view of Adams et al., USPN 6,334,145 B1 (hereafter referred to as Adams).

56. Regarding dependent claim 36, Mullen-Schultz does not specifically teach the step of generating a list of links comprises creating a hierarchical list having links grouped by subject categories. However, Blumer taught generating a list of links comprises creating a hierarchical list having links (column 12, lines 64 – column 13, line

24). However, Adams taught links grouped by subject categories (column 11, lines 10-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Blumer's transferring directories and files in the Mullen-Schultz system for downloading bookmark information would improved system effectiveness. The motivation would have been to better management bookmark information to achieve seamless integration with the user's browser. It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Adam's grouping by subject categories in the Mullen-Schultz system for downloading bookmark information would have improved system effectiveness. The motivation would have been further refine the relationship between the indexed links.

57. Regarding dependent claim 37, Blumer taught the step of transferring the list of links comprises transferring the hierarchical list to a single file on the computer (column 12, lines 64 – column 13, line 24).

58. Regarding dependent claim 38, Blumer taught the hierarchical list comprises a directory structure having link files within at least one directory and wherein transferring the list of links comprises transferring the directory structure to the storage location on the computer for subsequent use by the browser in retrieving information from the network (column 12, lines 64 – column 13, line 24).

59. Claims 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz in view of Khan et al, USPN 6,460,038 B1 (hereafter referred to as Khan).

60. Regarding claim 42, Mullen-Schultz taught a system for providing links to an application program running on a computer connected to a network (abstract), the system comprising:

a file server connected to the network for receiving requests from the application program to transfer files to be displayed by the application program, the file server identifying the application program and determining a storage location for links used by the application program (column 8, line 57 – column 9, line 44);

wherein the file server transfers the at least one list of links to the storage location for links used by the application program for subsequent use in retrieving information from the network (column 8, line 57 – column 9, line 44).

Mullen-Schultz does not specifically teach links received from the link server and the link server in communication with the file server over the network, the link server generating at least one list of links and periodically transferring the at least one list to the file server. However, Khan taught links received from a link server and the link server in communication with a file server over the network, the link server generating at least one list of links and periodically transferring the at least one list to the file server (steps 510-512, column 11, line 35 – column 12, line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Khan's link server in the Mullen-Schultz system for downloading bookmark information would have improved functionality. The motivation would have been to better generate bookmark information for users.

61. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz and Khan as applied to claim 42 above, and further in view of Meade.

62. Regarding dependent claim 43, Mullen-Schultz does not specifically teach an accounting server. However, Meade taught an accounting server in communication with the file server, the accounting server collecting information relative to numbers and types of links transferred from the file server to the computer or from the link server to the file server (column 2, lines 31-44, column 4, lines 60-64). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Meade's recording billing information in the Mullen-Schultz system for downloading bookmark information would have improved system effectiveness. The motivation would have been to potentially provide incentives to the user requesting bookmark information.

Conclusion

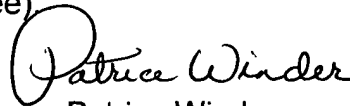
63. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

64. Kim, USPN 6,546,002 B1: taught a mobile interface agent that is used to store, distribute and access information including URL bookmarks. The MIA facilitates the sharing of data structures between application/services .

65. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Patrice Winder
Primary Examiner
Art Unit 2145

October 1, 2005